

for future generations, not put more money into it.

A DARK COMEDY: CUTTING MEDICARE

(Mr. DOGGETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOGGETT. Mr. Speaker, why are the Republicans cutting Medicare in order to provide a tax break for the privileged few? Here is a quick preview of today's debate on the Republican budget of broken promises. If you like horror movies, stay tuned, because what the Republicans do to Medicare recipients is horrible. If you like mysteries, stay tuned, as we try to unravel the many ways that secret Republican task forces propose to hike the cost of Medicare.

Best of all, if you like comedy, do not tune into the comedy channel, tune in right here. Watch the Republicans try to explain how a cut is not a cut, how, if they propose to double the Medicare deductible, raise the premiums every month, even charge people \$20 a month extra just to be able to see their own doctor, that that is not a cut. They do that with a straight face and call it reform. Horror, mystery, comedy; very dark comedy we will see today as the Republicans cut Medicare in order to provide a tax break for the privileged few.

A HISTORIC VOTE TO BALANCE THE FEDERAL DEFICIT

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, I yield to the distinguished gentleman from Lakewood, OH [Mr. HOKE].

Mr. HOKE. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, tomorrow we are going to do something that is so historic, that is so extraordinary, that is so unique, that has not been done in 26 years. Tomorrow we are going to take a vote, and in fact, we will balance the Federal budget for the first time in 26 years.

What does it mean? What does it mean back in Cleveland? It means safer streets. It means more hope. It means greater opportunity. It means better education. It means more prosperity for our children, for our grandchildren. It means preserving this Nation for the next generation.

Mr. Speaker, we are going to hear so much bitterness from the other side, and it is a great tragedy of this period in American history that there is so much talent and there is so much intelligence and there is so much good feeling and belief, and yet all that can be offered is so much bitterness and defense of the status quo.

Tomorrow will be the most historic vote of this 104th Congress.

A BUDGET-BUSTING TAX GIVEAWAY PAID FOR BY OUR GRANDMOTHERS

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, the Republican budget has it backward. They propose cutting Social Security and Medicare benefits by over \$2,500 per recipient through the year 2002 to pay for tax breaks to the privileged few. This means your grandmother's Social Security and Medicare benefits will shrink substantially. Her nursing home expenses will rise if she can even get in.

However, the money saved from these harsh cuts will not go to balance the budget. The money will go to pay for tax breaks to the wealthiest among us: The American billionaires who move to the Caribbean and take their money with them to escape paying taxes here; or the families earning \$200,000 a year, who will be bestowed a \$500 tax credit; or the foreign corporations who do business in this country and earn millions but do not pay a dime in taxes.

If the Republicans were serious, they would not balance the budget on the backs of our seniors to pander to the rich and powerful who can pay for lobbyists in this town. If the Republicans were serious, they would not have a budget-busting \$360 billion tax giveaway paid for by our grandmothers.

REPUBLICANS USE MEDICARE TRUST FUND TO BANKROLL TAX CUTS FOR THE WEALTHY

(Mr. WAXMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WAXMAN. Mr. Speaker, the Republicans say they want to save the Medicare Program, and they promised not to cut Social Security. What they are doing is using the Medicare trust fund to bankroll tax cuts for the wealthy.

Make no mistake about it, cuts in Medicare amount to cuts in Social Security. The typical Medicare beneficiary will spend 40 percent to 50 percent of the cost of living increases in Social Security for increases in the Medicare costs they will incur. Cuts in Medicare amount to cuts in Social Security. Social Security accounts for half or more of the annual incomes for a majority of elderly.

More than 30 percent of older Americans rely on Social Security for 80 percent or more of their income. The typical Medicare beneficiary by 2002 will see 40 to 50 percent of their Social Security COLA eaten up by increases in Medicare cost-sharing and premium.

They are not keeping their promises. Numbers do not lie. Listen to these numbers when you see these relatively well-off young Republican Members of the House tell us that seniors are going to be better off.

PLAYING WITH REALITY WILL CATCH UP WITH THE DEMOCRATS

(Mr. EMERSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EMERSON. Mr. Speaker, I have listened to the 1-minute this morning, and I do not usually make 1-minute speeches. However, I am perplexed by what I have heard. The Democrats have no budget plan of their own, none. They do not have one. They will not cooperate with any attempt to reform Medicare on a bipartisan basis. They stand here and rail about Republican cuts, cuts, cuts. There are not any cuts. To Democrats, restraining the rate of growth is a cut. The American public ought to know that. Such playing with reality will, indeed, catch up with them.

THE SEPARATE ENROLLMENT AND LINE-ITEM VETO ACT OF 1995

Mr. CLINGER. Mr. Speaker, I ask unanimous consent that: First, it be in order to consider in the House a motion to take from the Speaker's table the bill (S. 4) to grant the power to the President to reduce budget authority, and for other purposes, to strike all after the enacting clause of the Senate bill, and to insert the text of H.R. 2 as passed by this House; second, that the motion be debatable for not to exceed 1 hour, to be equally divided and controlled among the chairman and ranking minority members of the Committee on Government Reform and Oversight and the Committee on Rules, and third, that the previous question be ordered on the motion to final adoption without intervening motion except for one motion to recommit.

The SPEAKER pro tempore (Mr. UPTON). Is there objection to the request of the gentleman from Pennsylvania?

Mr. WISE. Reserving the right to object, Mr. Speaker, I just want to know whether the distinguished chairman needed any more time to explain his request, for which purpose I would happily yield, although I think the gentleman got it all in.

Mr. Speaker, this is a normal process of the House. While I personally oppose the line-item veto bill, the gentleman's request is in order. I will withdraw my reservation of objection and will not object.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CLINGER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. CLINGER moves that the House take from the Speaker's table the bill (S. 4) to grant the power to the President to reduce budget authority, and for other purposes, strike all after the enacting clause of the Senate bill, and insert the text of H.R. 2, as passed by the House.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr.

CLINGER] will be recognized for 15 minutes; the gentleman from West Virginia [Mr. WISE] will be recognized for 15 minutes; the gentleman from Florida [Mr. GOSS] will be recognized for 15 minutes, and the gentleman from Ohio [Mr. HALL] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. CLINGER].

Mr. CLINGER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on February 6 of this year, this House passed H.R. 2, the Line-Item Veto Act, to give the President the power to restrain irresponsible Federal spending through a true line-item veto. On March 23, the Senate followed suit in passing S. 4, which I think we would all agree is a weaker bill, which nonetheless moves toward greater Federal spending control, so both of our bodies have gone on record as saying we encourage and desire to enact something that will act as a restraint on further Federal spending control.

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Since that time, however, Mr. Speaker, both bills have been stalled really in parliamentary limbo awaiting further action in preparation for conference. That has been some several months now.

Because of the Senate's unusual handling of the House-passed bill, unfortunately neither body is currently in a position to request the needed conference and the legislation has been at a standstill, just literally in limbo.

My motion, Mr. Speaker, to take from the desk the Senate bill and insert in its place the House-passed language will break that legislative logjam and move us at least one step closer toward conference and the long-awaited enactment of the line-item veto. I say long-awaited by the President of the United States as well.

As we begin to debate the most sweeping budget reforms today that this body has ever considered and as we confront the reality of strict spending restraints in important Federal programs—and I think we all recognize that that is going to be the outcome—the need for an item veto assumes an even greater urgency. The President needs to be a partner in this effort. The enactment of strong item veto legislation will permit the President to eliminate wasteful pork and unjustified tax breaks, thus saving more important spending from unnecessary cuts.

Because H.R. 2, which we enacted here by an overwhelmingly bipartisan vote, provides the President with a bill he has really requested, he asked for the strongest possible line-item veto, and because this bill is an integral part of ongoing efforts to achieve greater fiscal responsibility, I would urge my colleagues' support for this motion to advance the legislative process and to once again make clear the House's very deep desire to move forward in giving the President what he has requested,

the long-awaited line-veto item, the strongest one that we have, which is clearly the House version.

Mr. Speaker, I reserve the balance of my time.

Mr. WISE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on behalf of the gentleman from Illinois [Mrs. COLLINS], the ranking member of the Committee on Government Reform and Oversight, I do not intend nor would she oppose this effort to attach the House-passed line-item veto bill to the Senate bill. The House passed the bill at the end of January and the Senate passed its version of the line-item veto on March 23.

If the Chair would indulge me, I have a question for the gentleman who is making this motion. Would the chairman be able to explain why there has been no effort to proceed to conference for the past 2 months and why the Senate did not attach their bill to H.R. 2 and request a conference?

Mr. CLINGER. Mr. Speaker, will the gentleman yield?

Mr. WISE. I yield to the gentleman from Pennsylvania.

Mr. CLINGER. As the gentleman knows, the other body works in mysterious ways its wonders to perform. I am not able to really divine their reasoning and the way they approach things. What we have known is that they have refused to really take action, the very action that you have requested. What we are trying to do with this motion is to force action on their part and move us that step closer.

Mr. WISE. I appreciate the gentleman's observation, and I think that you could have a whole Chamber of soothsayers trying to divine what the other body sometimes has in its mind.

I would note, Mr. Speaker, that it appears there may be an interest, or some might think that possibly the lack of action by the other body would indicate an interest in preventing the President from exercising line-item veto authority in the upcoming months, either on appropriation of tax bills.

I would expect that this is going to be a difficult conference. These are significantly different versions of the bills. One bill has a potential constitutional challenge, the bill that left the House. The Senate bill would require the enrollment of thousands of bills to pass appropriations in discrete line items requiring thousands of signatures and guaranteeing future Presidents an amazing case of writer's cramp as they deal with this as well as creating some significant amount of paperwork.

All that notwithstanding, Mr. Speaker, I have no objections to the gentleman's request.

Mr. GENE GREEN of Texas. Mr. Speaker, will the gentleman yield?

Mr. WISE. I yield to the gentleman from Texas.

Mr. GENE GREEN of Texas. I thank the gentleman for yielding.

Mr. Speaker, I voted for line-item veto both in the committee and on this

floor of the House this year. After serving 20 years as a legislator in Texas and living under the line-item veto, I have no fear about it. I think it has been oversold to an extent because in my 20 years as a legislator, I found out that it did not do as much for reducing the budget as it did for getting the attention of members of the legislative body, whether it be Members of Congress or the individual State legislature by the executive branch. Nevertheless, I support it because I think we can live with it and in the few times that we will actually see budget efforts impacted by it, it is good ammunition or a weapon in the arsenal to try to control spending.

I heard my colleague, the gentleman from West Virginia [Mr. WISE], mention the concern about why we did not make this motion on March 23 instead of 2 months later. Again as a supporter of the line-item veto, we might have been much further along with the conference committee and maybe even having the bill to the President's desk, although knowing the opposition to it and the product that came out of our body and the Senate and the problems that we may have in this conference. I am concerned that again this motion is a little over 2 months late in having an impact particularly on this year's appropriations.

But again I support the line-item veto and I would hope the conference committee would move as quickly as we can to again give the President the ability to do that.

Mr. WISE. Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida [Mr. GOSS].

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

I rise to join my friend, the distinguished chairman of the Committee on Government Reform and Oversight, in his motion to help us move forward on the important issue of granting the President an effective, workable, and tough line-item veto. It is fitting that we come to the floor to take the next step in this process on the day we begin consideration of a landmark budget resolution to bring our finances into balance by the year 2002. It should be clear to the American people by now that this 104th Congress—and the new Republican majority, with moderate Democrats—are absolutely committed to ending the fiscal insanity of rising deficits and ever-mounting national debt. A real line-item veto for the President is a powerful tool for fiscal accountability that will help ensure Congress stays on the right spending track, even beyond this current budget crisis. Although I commend our friends in the other body for their creative efforts in producing S. 4—I remain committed to the House-passed line-item veto as embodied in H.R. 2. H.R. 2 is

the product of years of study and analysis. Modeled after the type of authority wielded by 43 of our Nation's Governors, it provides a workable framework for ensuring that low-priority, wasteful, and unnecessary spending can be lined out of big appropriations bills and conference reports. It places the onus on the Congress—requiring a two-thirds vote to spend money a President has identified for veto—and it establishes specific procedures to ensure that Members have recourse in the event a President abuses his power. The taxpayers are the winners in this Scenario—H.R. 2 shifts the bias in the process away from spending and toward saving. With all due respect to our friends in the other body, I am leery of the novel and untested approach they have adopted in S. 4. That measure, which introduces a completely new and different process of separate enrollment, will be both cumbersome and difficult to administer. Although it does preserve the crucial requirement that Congress come up with a two-thirds override to spend money the President wants to save, the subjective nature of deciding what constitutes an 'item' will likely be a major stumbling block to effective implementation of line-item veto authority. I urge my colleagues to support this motion.

Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HALL of Ohio asked and was given permission to revise and extend his remarks.)

Mr. HALL of Ohio. Mr. Speaker, while I do not oppose this motion, I rise to express my opposition to both the House and Senate versions of the line-item veto legislation. I remain extremely concerned over the provisions contained in both bills which will cause a major shift in responsibility and power from the legislative to the executive branch. We should be very cautious about bestowing the potential power of this legislation on the executive branch. The authors of our Constitution purposely preserved this delicate balance of power which has served the interests of our Nation quite well and we see no compelling reason to tamper with it at this time.

Under both enhanced rescission bills, the President's proposed rescissions or targeted tax benefit repeals would automatically take effect unless the Congress specifically passes a resolution disapproving this special message. Even if such a measure overturning the President's request is enacted, the President can then veto the disapproval which, in turn, would have to be overridden by two-thirds of both Houses. Effectively, the President could cancel any spending or tax benefits if he or she has the support of only one-third plus one Members of either House.

I also am suspicious on why we are pursuing this motion at this time. The

bill passed the Senate on March 23 and has been held at the House desk since March 28—nearly 6 weeks. Why did we not pursue this matter at an earlier date? If the majority is anxious to have a line-item veto in place for the President, why was there not more of an effort made to put this mechanism in place for the Fiscal Year 95 appropriations bills?

Again, I oppose both the House and Senate line-item veto bills and will vote against them in their present form.

Mr. Speaker, I reserve the balance of my time.

Mr. CLINGER. Mr. Speaker, I yield 2 minutes to the gentleman from Delaware [Mr. CASTLE], a very distinguished Member of this body and former Governor of Delaware.

Mr. CASTLE. Mr. Speaker, I think the gentleman for yielding me the time.

Mr. Speaker, I strongly support the motion to take S. 4 from the Speaker's desk and insert the text of H.R. 2, the Line-Item Veto Act passed by the House earlier this year.

The line-item veto should be enacted as soon as possible, and I believe that the line-item veto legislation approved by the House is stronger and more straightforward than the Senate's version.

H.R. 2 would give the President the power to eliminate all or any part of spending in an appropriations bill or any targeted tax provision in a tax bill. Congress would have to disapprove the President's cuts by passing a resolution of disapproval and then override a Presidential veto of that measure with two-thirds of the House and Senate.

The American people are tired of their tax dollars funding screw worm research, commemorating the Lawrence Welk birthplace, and many other questionable projects that benefit only a select few districts or States.

By themselves, these projects may not add up to much of the Federal budget, but they are a slap in the face to the American people who want their tax dollars spent wisely and in the best interests of the entire Nation.

They have asked the new Republican majority to stop needless pork barrel spending. The line-item veto will help do just that.

I am concerned that the Senate line-item veto bill, which would require the separate enrollment of each individual spending item as a separate bill, may be too cumbersome. We should indeed support Chairman CLINGER's effort to advance the process.

The line-item veto is not a magic solution to the budget deficit, but it is an effective tool which should be given to the President.

House Republicans believe reducing unneeded spending is so important that we are willing to give a Democratic President the authority to stop spending on special interest projects and end tax breaks for a select few.

My experience as governor of Delaware is that the line-item veto helps

bring all parties—Republicans, Democrats, the Executive and legislators to the table to negotiate fiscally responsible spending bills that are in the best interest of the taxpayers.

The line-item veto will bring more openness and sunshine to the spending process. Believe me, the mere existence of line-item veto authority will make every Member of Congress take a harder look at every project and program. The red-face test will prevent many unnecessary projects from being added to spending bills in the first place.

I strongly support every effort to ensure that the House and Senate complete action on line-item veto legislation. President Clinton says he wants to cut spending. Let us give him the line-item veto and let him prove it.

Mr. WISE. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Speaker, I rise in support of this motion to send this issue to committee as fast as we can. I think it is important to have a conference committee to resolve the differences between the two Houses. I am a long-time supporter of the line-item veto. I am standing here today, though, because I am concerned with the process that is going on.

When I go to my home in Milwaukee and talk to my constituents, I proudly note that I am in support of the line-item veto, but then I caution my constituents. I tell them, Now you just wait and see what happens.

What is going to happen is that the Republicans in the Senate and the Republicans in the House will trip over each other not being able to reach an agreement in conference committee to give President Clinton the ability to line-item pork-barrel projects and special tax breaks for special interests. The reason they are going to do that is because even though for years they have been saying they want a line-item veto, they do not want to give President Clinton the line-item veto in the mistaken belief that he is not going to be President in 1996.

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I further go on to predict this conference committee will reach a resolution sometime shortly before the 1996 election. So make no mistake about what is going on here, we have Republican gridlock because the Republican leadership in the Senate does not want to give President Clinton the ability to get rid of pork-barrel spending and special interest tax breaks for the wealthy. It is clear and simple.

Majorities in both Houses have supported measures. The purpose of a conference is to mesh the two Houses together and get rid of the differences.

What we have right now is a down-right refusal to even go to conference committee, and I think that that is wrong. It is gridlock that is created by the leadership in this House and in the Senate, who do not want President Clinton to have this important tool.

I think it is important for the American people to know what is going on here. I think we should give this tool to President Clinton as soon as we can, and that is why I am supporting the efforts of the gentleman from Pennsylvania [Mr. CLINGER].

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Massachusetts [Mr. BLUTE], the primary sponsor of this legislation, who I think will retort a little to one of the problems we just heard about.

Mr. BLUTE. Mr. Speaker, I want to thank my colleague for yielding me this time on this very important issue.

Just briefly to respond to my good friend from Wisconsin, there can be no doubt that this leadership on this side has pushed at every turn to give President Clinton the line-item veto and to give him the strongest possible line-item veto, and that is why we are here today, to move this process because we think it is important regardless of who is in power.

And, frankly, it contrasts sharply with what some of your Democratic colleagues in the Senate did when they voted against the balanced budget amendment because it was being proposed by a Republican majority, when the year before, when it had no chance to pass, six Members of that body voted for the balanced budget.

So I think we are being consistent. We want to give President Clinton a line-item veto, and today the House is taking action to provide the President a valuable tool necessary to curb wasteful Government spending.

As we enter the appropriations season, we are reminded of the wasteful pork projects that have been buried in public laws without the benefit of public scrutiny over the years. This Congress has the opportunity to end that practice.

On February 6, the House passed H.R. 2 by an overwhelming and bipartisan vote of 294 to 134. The other body, unfortunately, then disregarded that version and went on to pass probably the most cumbersome line-item veto legislation anyone could have created. The version of S. 4 that emerged from the other body would make unraveling the Gordian knot seem simple. Separate enrollment, as the other body calls its version, would create a litany of problems, not the least of which would be giving the President writers' cramp from signing thousands of bills Congress would be forced to send him. The House, on the other hand, produced a strong, workable bill which preserves the balance of power between the legislative and executive branches while providing the President with more flexibility by allowing a reduction of items.

By the end of this fiscal year, the Federal debt is estimated to be almost \$5 trillion. That is why this week we will be working on a balanced budget amendment, and it is why we should give the President a line-item veto.

A child born today is immediately saddled with an expense of more than \$187,000 over their lifetime just to pay interest on debt. My 21-month-old son has already been responsible, and will be made responsible, for more than \$4,000 in interest payments, and he has not even reached his second birthday.

While the line item will not in and of itself balance the budget, the line-item veto will be an important tool the President can use as the country moves forward and toward a balanced budget in the year 2002. We cannot afford to lose a year in our fight against wasteful Federal spending and remove the Sword of Damocles from above our children's future.

Mr. Speaker, I urge my colleagues to give the President the line-item veto. Give him the strongest line-item veto possible. Do it this year. I urge my colleagues to support the chairman, the gentleman from Pennsylvania [Mr. CLINGER], and support this motion.

Mr. CLINGER. Mr. Speaker, I yield myself 30 seconds only to respond to the gentleman from Wisconsin to say that it is this gentleman's intention to go to conference and to negotiate in good faith to come up with the strongest possible line-item veto we can achieve. There are going to be no dilatory practices on my part, certainly, and I think I can speak for the Republican Members in this body. They are going to be very diligent in trying to reach a compromise.

Mr. BARRETT of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. CLINGER. I yield to the gentleman from Wisconsin.

Mr. BARRETT of Wisconsin. Mr. Speaker, perhaps the gentleman can help me. Where is the problem? Is the Senate majority refusing to go to conference? Why is there even a refusal to come to the table to talk?

Mr. CLINGER. Reclaiming my time, I think there may be a combination of things; one of the things may well be the possibility of a filibuster to be waged on your side of the aisle. I think there are probably problems on both sides.

Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. SOLOMON], the distinguished chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I will not even take a minute. But just continuing this colloquy, there is no question that there are Members in the other body who are unalterably opposed to any real and meaningful line-item veto legislation. They are both Democrat and Republican over there, and this Member happens to resent it very much.

I hope this body stands by its version. It is the only true line-item veto, and if and when we ever do go to conference, I want us to stick to our guns. We should not be enacting any kind of watered-down version, because that means we will never get around to really enacting a line-item veto. We will be deterred from that.

So I commend both the gentlemen for their reference.

Mr. WISE. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Speaker, again I am a relatively junior Member of the House. The chairman indicated there are problems with Democrats who do not like this bill. But to go to conference committee, is that not something that the leadership can do, the Republican leadership can do, from the Senate? And again I fail to see why the Republican leadership in the Senate is even refusing to come to the conference committee. Is that something that the Democrats in the Senate can stop?

Mr. SOLOMON. If the gentleman will yield, it is because of what is happening over there. There are some interpolitics being played. That is exactly why we are taking this action today. We are going to send our bill back over there. Then we will start negotiations both in public and out of public, if necessary, but we want to move this legislation, the real thing.

Mr. BARRETT of Wisconsin. I think the public should be aware the problem is in the Senate with the leadership, I think, because now we are at the stage where the Republican leadership in the Senate should come to the conference committee to resolve the differences, and it is the Republican leadership in the Senate that is refusing to do so.

Mr. SOLOMON. In collusion with the Democrat leadership in the Senate, as well.

Mr. WISE. Mr. Speaker, I yield myself 15 seconds just to note that perhaps part of the problem is that the line-item veto would not apply to Presidential candidates, only to Presidents, and that might be part of the problem in the other body as well.

Mr. Speaker, I reserve the balance of my time.

Mr. CLINGER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New York [Mr. QUINN].

Mr. QUINN. Mr. Speaker, I appreciate the gentleman yielding only because I came down here to talk about the line-item veto, an issue that is so near and dear to many of our hearts who have worked on this for so long.

As an original cosponsor of H.R. 2, the Line-Item Veto Act, I believe it offers a true, true line-item veto. It would allow, of course, the President to rescind all or any part of appropriated funds, require a majority of both Chambers to disapprove the President's rescissions, and, finally, require a two-thirds' vote of both Chambers to override that Presidential veto of the disapproval bill.

I think while we will talk about some politics almost each and every day in these Chambers, this is one issue where I think Republicans and Democrats alike can get behind to give the President of the United States, whichever party it happens to be, the line-item veto, and I think it is time this year.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

I would like to just comment that it seems to be that one of the concerns that we have got here is we have heard about this threat of a filibuster by Members of the other party, members of the minority in the Senate, and what we are trying to do here is to propel this whole issue forward into conference. So the purposes of the gentleman from Wisconsin, I hope, are going to be resolved by the actions we are taking here today. I hope he is comforted by that.

Mr. Speaker, I reserve the balance of my time.

Mr. CLINGER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I should have mentioned the gentleman from New York [Mr. QUINN] has been a very active participant in the shaping of this legislation, and we really appreciate his major contributions, and I would just add that I think there has been a concern expressed on the other side that if an attempt was made to go to conference, that it would be subject to a filibuster, so I would repeat, I think there are problems over there that we need to deal with.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. WISE. Mr. Speaker, I yield back the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GOSS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. EMERSON). Pursuant to the order of the House, the previous question is ordered.

The question is on the motion offered by the gentleman from Pennsylvania [Mr. CLINGER].

The motion was agreed to.

The text of the Senate bill, S. 4, is as follows:

S. 4

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "The Separate Enrollment and Line Item Veto Act of 1995".

SEC. 2. STRUCTURE OF LEGISLATION.

(a) APPROPRIATIONS LEGISLATION.—

(1) The Committee on Appropriations of either the House or the Senate shall not report an appropriation measure that fails to contain such level of detail on the allocation of an item of appropriation proposed by that House as is set forth in the committee report accompanying such bill.

(2) If an appropriation measure is reported to the House or Senate that fails to contain the level of detail on the allocation of an item of appropriation as required in paragraph (1), it shall not be in order in that House to consider such measure. If a point of order under this paragraph is sustained, the measure shall be recommitted to the Committee on Appropriations of that House.

(b) AUTHORIZATION LEGISLATION.—

(1) A committee of either the House or the Senate shall not report an authorization

measure that contains new direct spending or new targeted tax benefits unless such measure presents each new direct spending or new targeted tax benefit as a separate item and the accompanying committee report for that measure shall contain such level of detail as is necessary to clearly identify the allocation of new direct spending or new targeted tax benefits.

(2) If an authorization measure is reported to the House or Senate that fails to comply with paragraph (1), it shall not be in order in that House to consider such measure. If a point of order under this paragraph is sustained, the measure shall be recommitted to the committee of jurisdiction of that House.

(c) CONFERENCE REPORTS.—

(1) A committee of conference to which is committed an appropriations measure shall not file a conference report in either House that fails to contain the level of detail on the allocation of an item of appropriation as is set forth in the statement of managers accompanying that report.

(2) A committee of conference to which is committed an authorization measure shall not file a conference report in either House unless such measure presents each direct spending or targeted tax benefit as a separate item and the statement of managers accompanying that report clearly identifies each such item.

(3) If a conference report is presented to the House or Senate that fails to comply with either paragraph (1) or (2), it shall not be in order in that House to consider such conference report. If a point of order under this paragraph is sustained in the House to first consider the conference report, the measure shall be deemed recommitted to the committee of conference.

SEC. 3. WAIVERS AND APPEALS.

Any provision of section 2 may be waived or suspended in the House or Senate only by an affirmative vote of three-fifths of the Members of that House duly chosen and sworn. An affirmative vote of three-fifths of the Members duly chosen and sworn shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under that section.

SEC. 4. SEPARATE ENROLLMENT.

(a)(1) Notwithstanding any other provision of law, when any appropriation or authorization measure first passes both Houses of Congress in the same form, the Secretary of the Senate (in the case of a measure originating in the Senate) or the Clerk of the House of Representatives (in the case of a measure originating in the House of Representatives) shall disaggregate the items as referenced in section 5(4) and assign each item a new bill number. Henceforth each item shall be treated as a separate bill to be considered under the following subsections. The remainder of the bill not so disaggregated shall constitute a separate bill and shall be considered with the other disaggregated bills pursuant to subsection (b).

(2) A bill that is required to be disaggregated into separate bills pursuant to subsection (a)—

(A) shall be disaggregated without substantive revision, and

(B) shall bear the designation of the measure of which it was an item prior to such disaggregation, together with such other designation as may be necessary to distinguish such measure from other measures disaggregated pursuant to paragraph (1) with respect to the same measure.

(b) The new bills resulting from the disaggregation described in paragraph (1) of subsection (a) shall be immediately placed on the appropriate calendar in the House of origination, and upon passage, placed on the appropriate calendar in the other House.

They shall be the next order of business in each House and they shall be considered and voted on en bloc and shall not be subject to amendment. A motion to proceed to the bills shall be nondebatable. Debate in the House of Representatives or the Senate on the bills shall be limited to not more than 1 hour, which shall be divided equally between the majority leader and the minority leader. A motion further to limit debate is not debatable. A motion to recommit the bills is not in order, and it is not in order to move to reconsider the vote by which the bills are agreed to or disagreed to.

SEC. 5. DEFINITIONS.

For purposes of this Act:

(1) The term "appropriation measure" means any general or special appropriation bill or any bill or joint resolution making supplemental, deficiency, or continuing appropriations.

(2) The term "authorization measure" means any measure other than an appropriations measure that contains a provision providing direct spending or targeted tax benefits.

(3) The term "direct spending" shall have the same meaning given to such term in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(4) The term "item" means—

(A) with respect to an appropriations measure—

(i) any numbered section,

(ii) any unnumbered paragraph, or

(iii) any allocation or suballocation of an appropriation, made in compliance with section 2(a), contained in a numbered section or an unnumbered paragraph but shall not include a provision which does not appropriate funds, direct the President to expend funds for any specific project, or create an express or implied obligation to expend funds and—

(i) rescinds or cancels existing budget authority;

(ii) only limits, conditions, or otherwise restricts the President's authority to spend otherwise appropriated funds; or

(iii) conditions on an item of appropriation not involving a positive allocation of funds by explicitly prohibiting the use of any funds; and

(B) with respect to an authorization measure—

(i) any numbered section, or

(ii) any unnumbered paragraph,

that contains new direct spending or a new targeted tax benefit presented and identified in conformance with section 2(b).

(5) The term "targeted tax benefit" means any provision:

(A) estimated by the Joint Committee on Taxation as losing revenue for any one of the three following periods—

(1) the first fiscal year covered by the most recently adopted concurrent resolution on the budget;

(2) the period of the 5 fiscal years covered by the most recently adopted concurrent resolution on the budget; or

(3) the period of the 5 fiscal years following the first 5 years covered by the most recently adopted concurrent resolution on the budget; and

(B) having the practical effect of providing more favorable tax treatment to a particular taxpayer or limited group of taxpayers when compared with other similarly situated taxpayers.

SEC. 6. JUDICIAL REVIEW.

(a) EXPEDITED REVIEW.—

(1) Any Member of Congress may bring an action, in the United States District Court for the District of Columbia, for declaratory judgment and injunctive relief on the ground that a provision of this Act violates the Constitution.

(2) A copy of any complaint in an action brought under paragraph (1) shall be promptly delivered to the Secretary of the Senate and the Clerk of the House of Representatives, and each House of Congress shall have the right to intervene in such action.

(3) Any action brought under paragraph (1) shall be heard and determined by a three-judge court in accordance with section 2284 of title 28, United States Code.

Nothing in this section or in any other law shall infringe upon the right of the House of Representatives or the Senate to intervene in an action brought under paragraph (1) without the necessity of adopting a resolution to authorize such intervention.

(b) APPEAL TO SUPREME COURT.—Notwithstanding any other provisions of law, any order of the United States District Court for the District of Columbia which is issued pursuant to an action brought under paragraph (1) of subsection (a) shall be reviewable by appeal directly to the Supreme Court of the United States. Any such appeal shall be taken by a notice of appeal filed within 10 days after such order is entered; and the jurisdictional statement shall be filed within 30 days after such order is entered. No stay of an order issued pursuant to an action brought under paragraph (1) of subsection (a) shall be issued by a single Justice of the Supreme Court.

(c) EXPEDITED CONSIDERATION.—It shall be the duty of the District Court for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under subsection (a).

(d) SEVERABILITY.—If any provision of this Act, or the application of such provision to any person or circumstance is held unconstitutional, the remainder of this Act and the application of the provisions of such Act to any person or circumstance shall not be affected thereby.

SEC. 7. TREATMENT OF EMERGENCY SPENDING.

(a) EMERGENCY APPROPRIATIONS.—Section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following new sentence: "However, OMB shall not adjust any discretionary spending limit under this clause for any statute that designates appropriations as emergency requirements if that statute contains an appropriation for any other matter, event, or occurrence, but that statute may contain rescissions of budget authority."

(b) EMERGENCY LEGISLATION.—Section 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following new sentence: "However, OMB shall not designate any such amounts of new budget authority, outlays, or receipts as emergency requirements in the report required under subsection (d) if that statute contains any other provisions that are not so designated, but that statute may contain provisions that reduce direct spending."

(c) NEW POINT OF ORDER.—Title IV of the Congressional Budget Act of 1974 is amended by adding at the end the following new section:

"POINT OF ORDER REGARDING EMERGENCIES

"SEC. 408. It shall not be in order in the House of Representatives or the Senate to consider any bill or joint resolution, or amendment thereto or conference report thereon, containing an emergency designation for purposes of section 251(b)(2)(D) or 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985 if it also provides an appropriation or direct spending for any other item or contains any other matter, but that bill or joint resolution, amendment, or

conference report may contain rescissions of budget authority or reductions of direct spending, or that amendment may reduce amounts for that emergency."

(d) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 407 the following new item:

"Sec. 408. Point of order regarding emergencies."

SEC. 8. SAVINGS FROM RESCISSION BILLS USED FOR DEFICIT REDUCTION.

(a) Not later than 45 days of continuous session after the President vetoes an appropriations measure or an authorization measure, the President shall—

(1) with respect to appropriations measures, reduce the discretionary spending limits under section 601 of the Congressional Budget Act of 1974 for the budget year and each outyear by the amount by which the measure would have increased the deficit in each respective year;

(2) with respect to a repeal of direct spending, or a targeted tax benefit, reduce the balances for the budget year and each outyear under section 252(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 by the amount by which the measure would have increased the deficit in each respective year.

(b) EXCEPTIONS.—

(1) This section shall not apply if the vetoed appropriations measure or authorization measure becomes law, over the objections of the President, before the President orders the reduction required by subsections (a)(1) or (a)(2).

(2) If the vetoed appropriations measure or authorization measure becomes law, over the objections of the President, after the President has ordered the reductions required by subsections (a)(1) or (a)(2), then the President shall restore the discretionary spending limits under section 601 of the Congressional Budget Act of 1974 or the balances under section 252(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 to reflect the positions existing before the reduction ordered by the President in compliance with subsection (a).

SEC. 9. EVALUATION AND SUNSET OF TAX EXPENDITURES

(a) LEGISLATION FOR SUNSETTING TAX EXPENDITURES.—The President shall submit legislation for the periodic review, reauthorization, and sunset of tax expenditures with his fiscal year 1997 budget.

(b) BUDGET CONTENTS AND SUBMISSION TO CONGRESS.—Section 1105(a) of title 31, United States Code, is amended by adding at the end the following paragraph:

"(30) beginning with fiscal year 1999, a Federal Government performance plan for measuring the overall effectiveness of tax expenditures, including a schedule for periodically assessing the effects of specific tax expenditures in achieving performance goals."

(c) PILOT PROJECTS.—Section 1118(c) of title 31, United States Code, is amended by—

(1) striking "and" after the semicolon in paragraph (2);

(2) redesignating paragraph (3) as paragraph (4); and

(3) adding after paragraph (2) the following:

"(3) describe the framework to be utilized by the Director of the Office of Management and Budget, after consultation with the Secretary of the Treasury, the Comptroller General of the United States, and the Joint Committee on Taxation, for undertaking periodic analyses of the effects of tax expenditures in achieving performance goals and the relationship between tax expenditures and spending programs; and"

(d) CONGRESSIONAL BUDGET ACT.—Title IV of the Congressional Budget Act of 1974 is amended by adding at the end thereof the following:

"TAX EXPENDITURES

"SEC. 409. It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report that contains a tax expenditure unless the bill, joint resolution, amendment, motion, or conference report provides that the tax expenditure will terminate not later than 10 years after the date of enactment of the tax expenditure."

SEC. 10. EFFECTIVE DATE.

The provisions of this Act shall apply to measures passed by the Congress beginning with the date of the enactment of this Act and ending on September 30, 2000.

The text of the bill, H.R. 2, which is inserted in lieu of S. 4, pursuant to the foregoing motion, is as follows:

H.R. 2

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Line Item Veto Act".

SEC. 2. LINE ITEM VETO AUTHORITY.

(a) IN GENERAL.—Notwithstanding the provisions of part B of title X of The Congressional Budget and Impoundment Control Act of 1974, and subject to the provisions of this section, the President may rescind all or part of the dollar amount of any discretionary budget authority specified in an appropriation Act or conference report or joint explanatory statement accompanying a conference report on the Act, or veto any targeted tax benefit which is subject to the terms of this Act if the President—

(1) determines that—

(A) such rescission or veto would help reduce the Federal budget deficit;

(B) such rescission or veto will not impair any essential Government functions; and

(C) such rescission or veto will not harm the national interest; and

(2) notifies the Congress of such rescission or veto by a special message not later than ten calendar days (not including Sundays) after the date of enactment of an appropriation Act providing such budget authority or a revenue or reconciliation Act containing a targeted tax benefit.

(b) DEFICIT REDUCTION.—In each special message, the President may also propose to reduce the appropriate discretionary spending limit set forth in section 601(a)(2) of the Congressional Budget Act of 1974 by an amount that does not exceed the total amount of discretionary budget authority rescinded by that message.

(c) SEPARATE MESSAGES.—The President shall submit a separate special message for each appropriation Act and for each revenue or reconciliation Act under this section.

(d) LIMITATION.—No special message submitted by the President under this section may change any prohibition or limitation of discretionary budget authority set forth in any appropriation Act.

(e) SPECIAL RULE FOR FISCAL YEAR 1995 APPROPRIATION MEASURES.—Notwithstanding subsection (a)(2), in the case of any unobligated discretionary budget authority provided by any appropriation Act for fiscal year 1995, the President may rescind all or part of that discretionary budget authority under the terms of this Act if the President notifies the Congress of such rescission by a special message not later than ten calendar days (not including Sundays) after the date of enactment of this Act.

SEC. 3. LINE ITEM VETO EFFECTIVE UNLESS DISAPPROVED.

(a)(1) Any amount of budget authority rescinded under this Act as set forth in a special message by the President shall be deemed canceled unless, during the period described in subsection (b), a rescission/receipts disapproval bill making available all of the amount rescinded is enacted into law.

(2) Any provision of law vetoed under this Act as set forth in a special message by the President shall be deemed repealed unless, during the period described in subsection (b), a rescission/receipts disapproval bill restoring that provision is enacted into law.

(b) The period referred to in subsection (a) is—

(1) a congressional review period of twenty calendar days of session, beginning on the first calendar day of session after the date of submission of the special message, during which Congress must complete action on the rescission/receipts disapproval bill and present such bill to the President for approval or disapproval;

(2) after the period provided in paragraph (1), an additional ten days (not including Sundays) during which the President may exercise his authority to sign or veto the rescission/receipts disapproval bill; and

(3) if the President vetoes the rescission/receipts disapproval bill during the period provided in paragraph (2), an additional five calendar days of session after the date of the veto.

(c) If a special message is transmitted by the President under this Act and the last session of the Congress adjourns sine die before the expiration of the period described in subsection (b), the rescission or veto, as the case may be, shall not take effect. The message shall be deemed to have been retransmitted on the first Monday in February of the succeeding Congress and the review period referred to in subsection (b) (with respect to such message) shall run beginning after such first day.

SEC. 4. DEFINITIONS.

As used in this Act:

(1) The term "rescission/receipts disapproval bill" means a bill or joint resolution which only disapproves, in whole, rescissions of discretionary budget authority or only disapproves vetoes of targeted tax benefits in a special message transmitted by the President under this Act and—

(A) which does not have a preamble;

(B)(i) in the case of a special message regarding rescissions, the matter after the enacting clause of which is as follows: "That Congress disapproves each rescission of discretionary budget authority of the President as submitted by the President in a special message on _____", the blank space being filled in with the appropriate date and the public law to which the message relates; and

(ii) in the case of a special message regarding vetoes of targeted tax benefits, the matter after the enacting clause of which is as follows: "That Congress disapproves each veto of targeted tax benefits of the President as submitted by the President in a special message on _____", the blank space being filled in with the appropriate date and the public law to which the message relates; and

(C) the title of which is as follows: "A bill disapproving the recommendations submitted by the President on _____", the blank space being filled in with the date of submission of the relevant special message and the public law to which the message relates.

(2) The term "calendar days of session" shall mean only those days on which both Houses of Congress are in session.

(3) The term "targeted tax benefit" means any provision of a revenue or reconciliation Act determined by the President to provide a Federal tax deduction, credit, exclusion,

preference, or other concession to 100 or fewer beneficiaries. Any partnership, limited partnership, trust, or S corporation, and any subsidiary or affiliate of the same parent corporation, shall be deemed and counted as a single beneficiary regardless of the number of partners, limited partners, beneficiaries, shareholders, or affiliated corporate entities.

(4) The term "appropriation Act" means any general or special appropriation Act, and any Act or joint resolution making supplemental, deficiency, or continuing appropriations.

SEC. 5. CONGRESSIONAL CONSIDERATION OF LINE ITEM VETOS.

(a) **PRESIDENTIAL SPECIAL MESSAGE.**—Whenever the President rescinds any budget authority as provided in this Act or vetoes any provision of law as provided in this Act, the President shall transmit to both Houses of Congress a special message specifying—

(1) the amount of budget authority rescinded or the provision vetoed;

(2) any account, department, or establishment of the Government to which such budget authority is available for obligation, and the specific project or governmental functions involved;

(3) the reasons and justifications for the determination to rescind budget authority or veto any provision pursuant to this Act;

(4) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect of the rescission or veto; and

(5) all actions, circumstances, and considerations relating to or bearing upon the rescission or veto and the decision to effect the rescission or veto, and to the maximum extent practicable, the estimated effect of the rescission upon the objects, purposes, and programs for which the budget authority is provided.

(b) **TRANSMISSION OF MESSAGES TO HOUSE AND SENATE.**—

(1) Each special message transmitted under this Act shall be transmitted to the House of Representatives and the Senate on the same day, and shall be delivered to the Clerk of the House of Representatives if the House is not in session, and to the Secretary of the Senate if the Senate is not in session. Each special message so transmitted shall be referred to the appropriate committees of the House of Representatives and the Senate. Each such message shall be printed as a document of each House.

(2) Any special message transmitted under this Act shall be printed in the first issue of the Federal Register published after such transmittal.

(c) **INTRODUCTION OF RESCISSION/RECEIPTS DISAPPROVAL BILLS.**—The procedures set forth in subsection (d) shall apply to any rescission/receipts disapproval bill introduced in the House of Representatives not later than the third calendar day of session beginning on the day after the date of submission of a special message by the President under section 2.

(d) **CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.**—(1) The committee of the House of Representatives to which a rescission/receipts disapproval bill is referred shall report it without amendment, and with or without recommendation, not later than the eighth calendar day of session after the date of its introduction. If the committee fails to report the bill within that period, it is in order to move that the House discharge the committee from further consideration of the bill. A motion to discharge may be made only by an individual favoring the bill (but only after the legislative day on which a Member announces to the House the Member's intention to do so). The motion is highly privileged. Debate thereon shall be limited to not more than one hour, the time to be divided in the House equally between a

proponent and an opponent. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(2) After a rescission/receipts disapproval bill is reported or the committee has been discharged from further consideration, it is in order to move that the House resolve into the Committee of the Whole House on the State of the Union for consideration of the bill. All points of order against the bill and against consideration of the bill are waived. The motion is highly privileged. The previous question shall be considered as ordered on that motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. During consideration of the bill in the Committee of the Whole, the first reading of the bill shall be dispensed with. General debate shall proceed without intervening motion, shall be confined to the bill, and shall not exceed two hours equally divided and controlled by a proponent and an opponent of the bill. No amendment to the bill is in order, except any Member may move to strike the disapproval of any rescission or rescissions of budget authority or any proposed repeal of a targeted tax benefit, as applicable, if supported by 49 other Members. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion. A motion to reconsider the vote on passage of the bill shall not be in order.

(3) Appeals from the decisions of the Chair relating to the application of the rules of the House of Representatives to the procedure relating to a bill described in subsection (a) shall be decided without debate.

(4) It shall not be in order to consider more than one bill described in subsection (c) or more than one motion to discharge described in paragraph (1) with respect to a particular special message.

(5) Consideration of any rescission/receipts disapproval bill under this subsection is governed by the rules of the House of Representatives except to the extent specifically provided by the provisions of this Act.

(e) **CONSIDERATION IN THE SENATE.**—

(1) Any rescission/receipts disapproval bill received in the Senate from the House shall be considered in the Senate pursuant to the provisions of this Act.

(2) Debate in the Senate on any rescission/receipts disapproval bill and debatable motions and appeals in connection therewith, shall be limited to not more than ten hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(3) Debate in the Senate on any debatable motions or appeal in connection with such bill shall be limited to one hour, to be equally divided between, and controlled by the mover and the manager of the bill, except that in the event the manager of the bill is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from the time under their control on the passage of the bill, allot additional time to any Senator during the consideration of any debatable motion or appeal.

(4) A motion to further limit debate is not debatable. A motion to recommit (except a motion to recommit with instructions to report back within a specified number of days not to exceed one, not counting any day on

which the Senate is not in session) is not in order.

(f) POINTS OF ORDER.—

(1) It shall not be in order in the Senate to consider any rescission/receipts disapproval bill that relates to any matter other than the rescission of budget authority or veto of the provision of law transmitted by the President under this Act.

(2) It shall not be in order in the Senate to consider any amendment to a rescission/receipts disapproval bill.

(3) Paragraphs (1) and (2) may be waived or suspended in the Senate only by a vote of three-fifths of the members duly chosen and sworn.

SEC. 6. REPORTS OF THE GENERAL ACCOUNTING OFFICE.

Beginning on January 6, 1996, and at one-year intervals thereafter, the Comptroller General shall submit a report to each House of Congress which provides the following information:

(1) A list of each proposed Presidential rescission of discretionary budget authority and veto of a targeted tax benefit submitted through special messages for the fiscal year ending during the preceding calendar year, together with their dollar value, and an indication of whether each rescission of discretionary budget authority or veto of a targeted tax benefit was accepted or rejected by Congress.

(2) The total number of proposed Presidential rescissions of discretionary budget authority and vetoes of a targeted tax benefit submitted through special messages for the fiscal year ending during the preceding calendar year, together with their total dollar value.

(3) The total number of Presidential rescissions of discretionary budget authority or vetoes of a targeted tax benefit submitted through special messages for the fiscal year ending during the preceding calendar year and approved by Congress, together with their total dollar value.

(4) A list of rescissions of discretionary budget authority initiated by Congress for the fiscal year ending during the preceding calendar year, together with their dollar value, and an indication of whether each such rescission was accepted or rejected by Congress.

(5) The total number of rescissions of discretionary budget authority initiated and accepted by Congress for the fiscal year ending during the preceding calendar year, together with their total dollar value.

(6) A summary of the information provided by paragraphs (2), (3) and (5) for each of the ten fiscal years ending before the fiscal year during this calendar year.

SEC. 7. JUDICIAL REVIEW.

(a) EXPEDITED REVIEW.—

(1) Any Member of Congress may bring an action, in the United States District Court for the District of Columbia, for declaratory judgment and injunctive relief on the ground that any provision of this Act violates the Constitution.

(2) A copy of any complaint in an action brought under paragraph (1) shall be promptly delivered to the Secretary of the Senate and the Clerk of the House of Representatives, and each House of Congress shall have the right to intervene in such action.

(3) Any action brought under paragraph (1) shall be heard and determined by a three-judge court in accordance with section 2284 of title 28, United States Code.

Nothing in this section or in any other law shall infringe upon the right of the House of Representatives to intervene in an action brought under paragraph (1) without the necessity of adopting a resolution to authorize such intervention.

(b) APPEAL TO SUPREME COURT.—Notwithstanding any other provision of law, any order of the United States District Court for the District of Columbia which is issued pursuant to an action brought under paragraph (1) of subsection (a) shall be reviewable by appeal directly to the Supreme Court of the United States. Any such appeal shall be taken by a notice of appeal filed within 10 days after such order is entered; and the jurisdictional statement shall be filed within 30 days after such order is entered. No stay of an order issued pursuant to an action brought under paragraph (1) of subsection (a) shall be issued by a single Justice of the Supreme Court.

(c) EXPEDITED CONSIDERATION.—It shall be the duty of the District Court for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under subsection (a).

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title of the Senate bill was amended so as to read: "An Act to give the President item veto authority over appropriation Acts and targeted tax benefits in revenue Acts."

A motion to reconsider was laid on the table.

House Resolution 147 was laid on the table.

REGULATORY TRANSITION ACT OF 1995

Mr. CLINGER. Mr. Speaker, I ask unanimous consent that: First, it be in order to consider in the House a motion to take from the Speaker's table the Senate bill (S. 219) to ensure economy and efficiency of Federal Government operations by establishing a moratorium on regulatory rulemaking actions, and for other purposes, to strike all after the enacting clause of S. 219 and to insert in lieu the text of H.R. 450 as passed by the House;

Second, that the motion be debatable for not to exceed 1 hour, to be equally divided and controlled among chairmen and ranking minority members of the Committees on Government Reform and Oversight and the Judiciary; and

Third, that the previous question be ordered on the motion to final adoption without intervening motion except one motion to commit.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

Mr. PETERSON of Minnesota. Mr. Speaker, reserving the right to object, I do so in order that the gentleman may explain his unanimous consent request.

I yield to the gentleman from Pennsylvania [Mr. CLINGER].

Mr. CLINGER. Mr. Speaker, I have a motion at the desk at this point, if we may proceed.

The SPEAKER pro tempore. The gentleman has asked unanimous consent, the gentleman from Minnesota has reserved the right to object and has yielded to the gentleman from Pennsylvania.

Mr. PETERSON of Minnesota. Mr. Speaker, I would just like a further explanation.

Mr. CLINGER. Mr. Speaker, as part of the Contract With America, the House passed overwhelmingly, in a bipartisan fashion, H.R. 450, the Regulatory Transition Act of 1995, which imposes a temporary moratorium on the issuance of regulations. It provides a very necessary timeout on promulgation and implementation of regulations while Congress is in the process of deliberating long-overdue regulatory reforms.

So I think it would be helpful to review the bidding for just a moment. After 2 full days of debate on the House floor and numerous amendments, the final vote was 276 to 146. The House passed this bill February 24, 1995, and sent it to the Senate 2 days later. One month later, the Senate passed their version of the moratorium, which is, frankly, hard to characterize as a regulatory moratorium.

Mr. PETERSON of Minnesota. Mr. Speaker, I was just trying to figure it out, but apparently this is the normal procedure in the House, to link these two bills together.

So, Mr. Speaker, I withdraw my reservation of objection.

Mr. CLINGER. The objective is the same as what we just did in the last bill.

Mr. PETERSON of Minnesota. Mr. Speaker, I withdraw my reservation of objection and support the request of the gentleman from Pennsylvania.

The SPEAKER pro tempore. Is there objection to the request from the gentleman from Pennsylvania?

There was no objection.

MOTION OFFERED BY MR. CLINGER

Mr. CLINGER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. CLINGER moves to take from the Speaker's table the bill (S. 219) to grant the power to the President to reduce budget authority, and for other purposes, strike all after the enacting clause of the Senate bill, and insert the text of H.R. 450 as passed by the House.

□ 1115

The SPEAKER pro tempore (Mr. EMERSON). Pursuant to order of the House, the gentleman from Pennsylvania [Mr. CLINGER] will be recognized for 15 minutes, the gentleman from Minnesota [Mr. PETERSON] will be recognized for 15 minutes, the gentleman from Pennsylvania [Mr. GEKAS] will be recognized for 15 minutes, and the gentleman from Michigan [Mr. CONYERS] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. CLINGER].

Mr. CLINGER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, since I have already delivered part of my remarks on the motion, I would just reiterate, the version that we are sending back to the Senate is a very different version than was enacted in the Senate. It is our position